

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: HEDMAN et al.

Serial No.: 10/014,727

Filed: December 10, 2001

Title: METHOD OF KILLING ORGANISMS  
AND REMOVAL OF TOXINS IN  
ENCLOSURES

Art Unit: 3643

Examiner: Kurt C. Rowan

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop: Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated February 4, 2008, Appellants submit (herewith) a revised Summary of Claimed Subject Matter section. Pursuant to the Examiner's suggestion, the revised Summary includes a summary of subject matter included in independent Claims 18, 20 and 26.

Please replace the Summary of Claimed Subject Matter section beginning on page 3 of the Appeal Brief with the following rewritten section.

**Summary of Claimed Subject Matter**

The present invention is directed toward a method of sanitizing an enclosed space. Specifically, as shown in Figure 2, and as recited in Claims 18, 20 and 26, an environmentally acceptable gas, such as air or nitrogen, is heated to a temperature lethal to undesirable organisms (36). See, e.g., p. 9, ll. 8-12. The heated gas is then directed into the enclosed space (e.g., through an ingress duct (38)) for a time sufficient to raise the temperature of the enclosed space to the lethal temperature. See, e.g., p. 6, ll. 10-17 and p. 9, ll. 8-12. The organisms are terminated by the gas maintained at the lethal temperature. *Id.*

Claims 18, 20 and 26 further provide that the heated gas and the dead organisms are extracted from the enclosure by an exhaust unit (44) and a filter (24). See, e.g., p. 9, ll. 19-22. Thus, not only are the undesirable organisms killed within the enclosed space, the residue of the destroyed organisms are removed from the enclosed space via the filter (24) (e.g., HEPA filter, etc.), thereby eliminating a source of allergen that can cause additional health problems to occupants of the space. See, e.g., p. 6, ll. 15-21 and p. 9, ll. 13-14.

Claim 20 further provides that a plurality of temperature-indicating devices (e.g., probes (32)) are disposed within the enclosed structure at various locations, such as onto the surface of a wall, floor or other space, or inserted through a structure into an interior space, e.g., within a wall cavity or crawl space. See, e.g., p. 8, ll. 16-22. The temperature-indicating devices are used to monitor the temperature within the enclosed space while the heated gas is being introduced to ensure that the enclosed structure is brought to the lethal temperature. *Id.*

Date: February 7, 2008

Respectfully submitted,



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